



1995 SENATE BILL 472

January 3, 1996 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Human Resources, Labor, Tourism, Veterans and Military Affairs.

1 **AN ACT to amend** 102.43 (5) of the statutes; **relating to:** private rehabilitation
2 counseling or rehabilitative training costs (suggested as remedial legislation by
3 the department of industry, labor and human relations).

Analysis by the Legislative Reference Bureau

Under current law, an employe who sustains an injury while performing services growing out of and incidental to his or her employment is eligible to receive benefits under the worker's compensation law. Currently, those benefits include temporary disability benefits for such period as the injured employe may be receiving private rehabilitation counseling or training, but not for longer than 80 weeks, unless the department of industry, labor and human relations (DILHR) determines that additional training is warranted. This bill corrects an incorrect cross-reference to the provision of the statutes permitting an injured employe to receive private rehabilitation counseling or training in the provision of the statutes authorizing DILHR to extend the 80-week rehabilitation period.

For further information, see the NOTES provided by the law revision committee of the joint legislative council in the bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the department of industry, labor and human relations and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

4 **SECTION 1.** 102.43 (5) of the statutes is amended to read:

SECTION 1

1 102.43 (5) Temporary disability, during which compensation shall be payable
2 for loss of earnings, shall include such period as may be reasonably required for
3 training in the use of artificial members and appliances, and shall include such
4 period as the employe may be receiving instruction pursuant to s. 102.61 (1) or (1m).
5 Temporary disability on account of receiving instruction of the latter nature, and not
6 otherwise resulting from the injury, shall not be in excess of 80 weeks. Such 80-week
7 limitation does not apply to temporary disability benefits under this section, travel
8 or maintenance expense under s. 102.61 (1) or private rehabilitation counseling or
9 rehabilitative training costs under s. ~~101.61 (1m)~~ 102.61 (1m) if the department
10 determines that additional training is warranted. The necessity for additional
11 training as authorized by the department for any employe shall be subject to periodic
12 review and reevaluation.

NOTE: This SECTION corrects an incorrect cross-reference in s. 102.43 (5), stats.
The present cross-reference is to s. 101.61 (1m), stats., which does not exist. The correct
cross-reference is to s. 102.61 (1m), stats., which relates to rehabilitation counseling and
rehabilitative training for injured employes.

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(END)